
**Natural Resources, Ecology &
Parks Committee**

HB 2578

Brief Description: Evaluating point source outfalls in Puget Sound.

Sponsors: Representatives Upthegrove, B. Sullivan and Dickerson.

Brief Summary of Bill

- Directs the Department of Ecology, in cooperation with the Department of Health, the Department of Fish and Wildlife, the Department of Natural Resources, and affected stakeholders, to conduct a systematic evaluation of point source outfalls in Puget Sound and their impact on shellfish by December 1, 2006.

Hearing Date: 1/20/06

Staff: Jeff Olsen (786-7157).

Background:

Federal Law

The federal Clean Water Act (CWA) sets a national goal to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to eliminate pollutant discharges into navigable waters. Among other requirements, the CWA sets effluent limits on discharges of pollutants to navigable waters and requires states to adopt surface water quality standards to protect humans, fish, and other aquatic life. The CWA also establishes the National Pollutant Discharge Elimination System (NPDES) permit program to regulate certain wastewater and stormwater discharges.

State Permit Program

The Department of Ecology (DOE) administers a state program for discharge of pollutants to state waters from municipalities or from commercial or industrial operations. The DOE also administers the federal NPDES permit program under a delegation of authority from the United States Environmental Protection Agency. The DOE issues both individual permits (covering single, specific activities or facilities) and general permits (covering a category of similar dischargers) in the state and NPDES permit program.

The Department of Health (DOH) Commercial Shellfish Licensing and Certification Program issues licenses to commercial shellfish operators and certifies their harvest sites. The commercial

harvest of shellfish must be from a growing area that is classified as approved or conditionally approved according to provisions of the National Shellfish Sanitation Program Model Ordinance. The DOH Growing Area Classification Program assesses shellfish growing areas and classifies them as either approved, conditionally approved, restricted, or prohibited. Point source outfalls may impact shellfish growing area classification depending on the nature of the discharge.

Summary of Bill:

The DOE, in cooperation with the DOH, the Department of Fish and Wildlife, the Department of Natural Resources, and affected stakeholders, must conduct a systematic evaluation of point source outfalls and their impact on shellfish by December 1, 2006. The evaluation must identify all point source outfalls in relation to shellfish growing areas, estimate the areas closed due to the outfalls, and recommend options that would result in improved water quality and increased shellfish growing areas. The evaluation shall recommend that projects be prioritized based on the costs of projects compared to the environmental benefits. The recommendations shall include a review of all current grant and loan programs available to fund projects. The evaluation shall also include recommendations for incentives to encourage current operators of permitted outfalls to undertake projects that would improve water quality and increase shellfish growing areas.

Appropriation: None.

Fiscal Note: Requested on 1/11/06.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.